

IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NORTH CAROLINA
GREENVILLE DIVISION

IN THE MATTER OF:)	
)	CASE NO.: 19-00730-5-JNC
CAH ACQUISITION COMPANY 1, LLC)	
d/b/a WASHINGTON COUNTY HOSPITAL,)	CHAPTER 11
)	
DEBTOR.)	

**RESPONSE AND OBJECTION TO TRUSTEE'S MOTION FOR (1) AN ORDER (A)
ESTABLISHING BIDDING PROCEDURES, ET AL.**

Complete Business Solutions, Group, Inc. (hereinafter "CBSG"), by and through counsel, hereby responds and objects to the Trustee's Motion For (1) an Order (A) Establishing Bidding Procedures, et al. (Doc #519) and Notice of Motion, et al., (Doc #525) objects to the same and requests a hearing thereon. In support thereof, CBSG states two (2) bases to sustain the Response and Objection. First, CBSG states that it is the owner of all accounts and contract rights of the Debtor as of the date of execution of each Factoring Agreement by the Debtor. These Factoring Agreements are set forth in the Proof of Claim previously filed herein (Claim #29-2). The Debtor is only entitled to sell property of the estate under 11 U.S.C. § 363(f). Simply put, the Debtor may not sell property that it does not own. Second, should the Court disagree with CBSG's position and allow the Trustee to sell the property under 11 U.S.C. § 363(f), CBSG is entitled to an order directing that any interest that CBSG has in the property shall attach to the proceeds of the sale of that property in the same manner as they existed as of the petition date.

WHEREFORE, CBSG prays the Court as follows:

1. That the Court grant this Response and Objection and deny the Trustee's Motion as it relates to the property owned by CBSG;


2. That, alternatively, the Court enter an Order stating that the interest that CBSG has in and to the accounts and contract rights be transferred to the proceeds of the sale as such interest existed as of the petition date;

3. That the Court hold a hearing thereon; and

4. For such other and further relief as the Court may deem just and proper.

This the 15 day of November, 2019.

HUTCHENS LAW FIRM LLP
Attorneys for Complete Business Solutions, Group, Inc.

By: 
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CERTIFICATE OF SERVICE

I, William Walt Pettit, as attorney of record for Complete Business Solutions, Group, Inc., hereby certify that on the 15 day of November, 2019, I served a copy of the Response and Objection to Trustee's Motion For (1) an Order (A) Establishing Bidding Procedures, et al by either electronic notice in accordance with the local rules or by depositing the same, enclosed in a postpaid, properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Postal Service, said envelope being addressed as follows:

CAH Acquisition Company 1, LLC
d/b/a Washington County Hospital
958 U.S. Highway 64 East
Plymouth, NC 27962

Rayford K. Adams, III
(by ECF service)

Thomas W. Waldrep, Jr.
U.S. Bankruptcy Administrator's Office
(by ECF service)

HUTCHENS LAW FIRM LLP
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